D.B. CIVIL SPECIAL APPEAL (W) NO.167/2006
(Ramesh Kumar Vs. Mohal Lal)

Date of order : 18.12.2006

HON'BLE MR. JUSTICE RAJESH BALIA
HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. M.K. Trivedi, for the appellant.

Having heard learned counsel for the appellant, we are satisfied that no case for interference is made out.

The appellant has suffered a money decree. The learned Single Judge while admitting the appeal has passed a conditional order directing the appellant to deposit Rs.5 Lakhs within a period of two months with the trial court and permitting the decree holder to get the said amount on furnishing a solvent security for its restitution, in case the appeal of the appellant succeeds. In our opinion, no interference in appeal is called for.

The appeal fails and is hereby dismissed in limine.

(GOPAL KRISHAN VYAS), J. (RAJESH BALIA), J.

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